

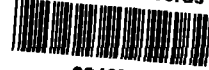
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN THE MATTER OF:)

U.S. SCRAP Site;)
12301 S. South Park Ave.)
Cook County,)
Chicago, Illinois)
_____)

Civil Docket No.

EPA Region 5 Records Ctr.



381275

07M197

07M197

**ADMINISTRATIVE WARRANT FOR ENTRY, INSPECTION, SAMPLING,
TAKING PHOTOGRAPHS, AND REVIEWING AND COPYING RECORDS**

TO: ANY OFFICER, EMPLOYEE, OR DESIGNATED REPRESENTATIVE OF THE
UNITED STATE ENVIRONMENTAL PROTECTION AGENCY, INCLUDING ITS U.S. EPA
CONTRACTORS, AND ANY OTHER ACCOMPANYING FEDERAL OR STATE OFFICER.

Proper application having been made for an administrative warrant for entry, inspection, sampling, taking photographs, and reviewing and copying records at the property formerly owned and/or occupied by U.S. Scrap, Inc., which is located at approximately 12301 S. Park Avenue, Chicago, Illinois, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, 42 U.S.C. §§ 9601 et seq., this Court finds that the United States has established reasonable grounds for issuance of an administrative warrant to authorize representatives of the United States Environmental Protection Agency (U.S. EPA or Agency), including contractors authorized by the U.S. EPA to assist in the execution of this warrant, as well as authorized representatives of the IEPA, to enter, inspect, and collect samples as is required and

necessary pursuant to Section 104(e) of CERCLA, 42 U.S.C. §9604(e). The materials supporting the United States' application include:

1. Draft Warrant
2. Declaration of On-Scene Coordinator
3. 9/29/65 Deed in Trust from Steve Martell, and Thomas Chirillo and Marie Chirillo to Central National Bank in Chicago, Trust No. 7711, Document No. 19696674
4. 1/30/07 Letter from Chicago title Land Trust Company
5. Consent for Access from Steve Martell
6. 6/28/05 Correspondence from B. Everetts (IEPA) to B. Bolen (U.S. EPA)
7. 11/27/06 Email documenting conversation with MSD representative
8. 3/20/92 Partial Consent Decree, *U.S. vs. Standard T. Chemical Company, Inc.*
9. 9/86 On-Scene Coordinator's Report
10. 10/10/90 Special Study Report v.1
11. Lexis document and case referencing death of Steve Martell
12. November 30, 2005 Chicago City Council Journal Entry on Authorization For Acquisition of Tax Delinquent Properties at Various Locations
13. Tax Information for Property Index Number 25-27-133-002-000
14. U.S. EPA delegations

These supporting materials submitted to the Court establish that this property was selected for inspection and sampling because there is a reasonable basis to believe that there may be a release or threat of release of one or more hazardous substances, pollutants or contaminants at the property. The supporting materials further establish that the property was abandoned and U.S. EPA was unable to locate the current owner or operator of the property, in order to request entry and continued access to the Site.

Through the declaration of Craig Thomas and otherwise, U.S. EPA has explained the scope and nature of this inspection under CERCLA, and the estimated number of days that will be required to properly accomplish this inspection. As part of U.S. EPA's efforts to characterize the nature and extent of contamination, U.S. EPA will conduct a visual inspection, collect samples, and conduct air monitoring. U.S. EPA will use various types of equipment, including a hand auger, scoop, a bailer

and a gas analyzer. It may be necessary or convenient to leave some of the equipment at the property while the site assessment activities are ongoing. It also will be necessary to collect samples of soils, hazardous substances, pollutants, contaminants, ground water, surface water, and containers or contents of containers found at the Site, pursuant to section 104 of CERCLA. It also will be necessary and desirable to take photographs of portions of the property and of the performance of the site assessment. It may be necessary and advisable to review and copy any documents found at the Site. All of these activities are a typical part of inspections and site assessments that U.S. EPA performs under the authority of the CERCLA. The Site assessment is expected to take no more than three days to complete.

IT IS HEREBY ORDERED that, pursuant to section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. § 9604(e), the United States Environmental Protection Agency and its duly designated representatives, including contractors authorized by the U.S. EPA to assist in the execution of this warrant, as well as authorized representatives of the IEPA, are hereby entitled to and are hereby permitted to enter upon the former premises and property of the U.S. Scrap, Inc., located at 12301 S. South Park Avenue, Chicago, Cook County, Illinois, for the purpose of inspecting the property; assessing the nature and extent of contamination of the property by hazardous substances, pollutants or contaminants; and determining the need for response action at the property under the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act. As part of the inspection, the United States Environmental Protection Agency, including contractors authorized by the U.S. EPA to assist in the execution of this warrant, as well as authorized representatives of the IEPA, are permitted to enter and to re-enter the property, buildings and facilities in order to inspect the property, including buildings,

facilities, containers, and equipment and fixtures; to take photographs and videotape; to conduct air monitoring, and to collect samples including samples of soil, hazardous substances, pollutants, contaminants, water, and containers; to use various types of equipment, including a hand auger, scoop, and bailer, and other equipment and methods deemed necessary by Agency representatives to determine the nature and extent of contamination at the property; to review and copy records; and, as the Agency deems necessary, to leave equipment at the property during the period of the inspection and site assessment. The Agency is not authorized to destroy any buildings or fixtures on the property. If the Agency excavates any areas of the property or otherwise significantly alters the property, the Agency shall re-grade the land and otherwise attempt to return the property to its prior condition.

The entry, inspection, and sampling shall be conducted within reasonable limits and in a reasonable manner between the hours of 8:00 a.m. and 7:00 p.m., shall commence no earlier than June 11, 2007, and shall continue for the number of days that are reasonably necessary for the U.S. EPA to complete the inspection. Entry shall be completed within thirty (30) days from the date this warrant is issued.

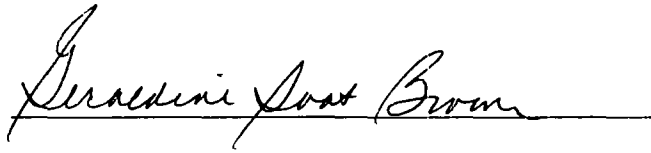
A copy of this Warrant shall be left at the premises at the time of the inspection.

The persons conducting the inspection and sampling shall leave a receipt for any property or samples taken and prepare a written inventory of such property, pursuant to section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9604(e), and shall return this warrant with the written inventory before this Court within ten (10) days from the final date of the inspection and sampling.

The United States Marshal is hereby authorized and directed to assist representatives of the U.S. EPA and the IEPA in such manner as reasonably may be necessary and required to execute this

Warrant and the provisions contained herein, including, but not limited to, gaining entry upon the premises, the inspection and photography thereof, and the collection of samples from the premises.

DATED THIS 31st DAY OF MAY, 2007.

A handwritten signature in cursive script, reading "Geraldine Scott Brown", is written over a horizontal line.

UNITED STATES MAGISTRATE JUDGE